

July 18, 2006 CPC



STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

06SN0299

Genito Properties, LLC

Clover Hill Magisterial District
South line of Genito Road

REQUEST: Rezoning from Agricultural (A) to Light Industrial (I-1) with Conditional Use to permit commercial uses and outside storage.

PROPOSED LAND USE:

Light industrial and commercial uses with outside storage, except as restricted by Proffered Condition 10, are planned.

RECOMMENDATION

Recommend approval for the following reasons:

- A. As conditioned, the proposed zoning and land use conform to the Powhite Route 288 Development Area Plan which suggests the request property is appropriate for light industrial uses.
- B. Existing development standards and proffered conditions further ensure land use compatibility with existing and anticipated area development.

- (NOTES:
- A. THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION. THE PROPERTY OWNER(S) MAY PROFFER OTHER CONDITIONS.
 - B. IT SHOULD BE NOTED THAT REVISED AND ADDITIONAL PROFFERED CONDITIONS WERE NOT SUBMITTED AT LEAST THIRTY (30) DAYS PRIOR TO THE PUBLIC HEARING PER THE

COMMISSION'S "SUGGESTED PRACTICES AND PROCEDURES." THE "PROCEDURES" SUGGEST THAT THE CASE SHOULD BE DEFERRED IF STAFF, THE COMMISSION OR AFFECTED NEIGHBORHOODS HAVE NOT HAD SUFFICIENT TIME TO REVIEW THE AMENDMENTS. STAFF HAS HAD AN OPPORTUNITY TO REVIEW THE REVISED AND ADDITIONAL PROFFERED CONDITIONS.)

PROFFERED CONDITIONS

1. Public water and wastewater shall be used. (U)
2. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)
3. Direct vehicular access from the property to Genito Road shall be limited to two (2) entrances/exits. The westernmost access shall align with the existing crossover on Genito Road that serves South Ridge Drive. The second access shall be generally located midway between South Ridge Drive and Shiloh Church Road. The exact location of these accesses shall be approved by the Transportation Department. Prior to final site plan approval, an access easement, acceptable to the Transportation Department shall be recorded from Genito Road at the westernmost access to serve the parcels identified as Tax ID 737-687-3752. (T)
4. In conjunction with recordation of the initial subdivision plat or within sixty (60) days of a written request by the Transportation Department, whichever occurs first, forty-five (45) feet of right-of-way, measured from the centerline of Genito Road, for the entire property frontage shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
5. To provide an adequate roadway system the owner/developer shall be responsible for the following:
 - A. Construction of additional pavement along Genito Road at the approved accesses to provide right turn lanes based on Transportation Department standards;
 - B. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. In the event the developer is unable to acquire any "off-site" right of way that is necessary for the improvements described in Proffered Condition 5, the developer may request, in writing, that the County acquire such right-of-way as a public road improvement. All costs associated with the acquisition of

the right-of-way shall be borne by the developer. In the event the County chooses not to assist the developer in acquisition of the “off-site” right-of-way, the developer shall be relieved of the obligation to acquire the “off-site” right-of-way and shall provide the road improvements within available right-of-way as determined by the Transportation Department. (T)

6. Prior to any site plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 5, shall be submitted to and approved by the Transportation Department. (T)
7. Freestanding business signs shall be of a moment style. No exterior illuminated signs shall be permitted with the exception of one (1) project sign. (P)
8. No building shall exceed 30,000 gross square feet in area. (P)
9. Architectural Treatment
 - A. The building exterior (all sides) of any building within 200 feet of the ultimate right of way of Genito Road shall be constructed of a brick, decorative masonry, or stone finish. This shall not preclude decorative accents or trims of alternate materials (i.e. EIFS, precast concrete, etc.) subject to the review and approval of the Planning Department at the time of site plan approval.
 - B. The building exterior (all sides) of any building located further than 200 feet of the ultimate right of way of Genito Road shall be constructed with a Concrete Masonry Unit (CMU), brick or metal with an Exterior Insulation Finishing System (EIFS) finish for a height of eight (8) feet measured from ground elevation (excluding openings for doors, windows or similar features).
 - C. Any building exterior which faces an unscreened outside storage or loading area on an adjacent property, which faces an on-site outside storage area serving the subject building that is screened in accordance with Proffered Condition 10, or any building exterior that is deemed to be adequately screened due to, but not limited to, topography, vegetation or similar features shall not be required to be constructed of the above materials provided the architectural treatment of the side otherwise complies with the Zoning Ordinance. (P)

(Note: This requirement is in addition to the architectural requirements of the Zoning Ordinance.)

10. Permitted uses shall be limited to the following:

A. Outside Storage, provided that:

- i. Outside storage areas shall not be located within 300 feet of the ultimate right of way of Genito Road.
- ii. Outside storage areas shall be screened from any internal private roads. Screening shall be accomplished by the use of durable opaque fences and gates constructed of masonry pillars with solid sections made of comparable materials to the principal building and using a design compatible to the principal building. (P)

(Note: This requirement is in addition to the screening requirements of the Zoning Ordinance.)

B. Except for the following uses which shall not be permitted, uses permitted by right or with restrictions in the Light Industrial (I-1) District:

- i. Converting paper to paperboard products, paperboard containers and boxes.
- ii. Moving companies, to include, but not limited to, households and businesses.
- iii. Paper recycling by the compaction method.
- iv. Recycling and processing of any material permitted to be manufactured in this district.
- v. Wholesale greenhouses, hot houses and nurseries provided that nothing except plant materials is stored outside of a completely enclosed building.

C. Carpenter and cabinet makers' offices and display rooms.

D. Contractors' offices and display rooms.

E. Electrical. Plumbing or heating supply sales, service and related display rooms.

F. Repair services, excluding motor vehicle repair. (P)

11. Freestanding light fixtures shall not exceed a height of twenty (20) feet measured from the top of curb. (P)

12. The developer shall be responsible for notifying the last known representative of Plum Creek Subdivision of the submission of any site plan within the development. Such notification shall occur at least twenty-one (21) days prior to the approval of

such plans. The developer shall provide the Planning Department with a copy of the notice. (P)

13. Within the fifty (50) foot setback along Genito Road, in addition to the required perimeter Landscaping C as defined in the Zoning Ordinance, a row of evergreen shrubs shall be installed at a minimum height of two (2) feet to create a continuous hedgerow at maturity. The exact location and materials shall be subject to review and approval by the Planning Department at time of site plan review. (P)

GENERAL INFORMATION

Location:

South line of Genito Road across from South Ridge Drive. Tax IDs 737-687-4811, 6711, 7908, 9207 and 738-687-2306.

Existing Zoning:

A

Size:

13.2 acres

Existing Land Use:

Vacant

Adjacent Zoning and Land Use:

North - C-5 and R-7; Single family residential, commercial or vacant
South - I-1 with Conditional Use Planned Development; Industrial or vacant
East - A; Vacant
West - A and I-1 with Conditional Use; commercial, industrial or vacant

UTILITIES

Public Water System:

A twelve (12) inch public water line extends along the north side of Genito Road and terminates at the intersection of Genito Road and South Ridge Drive. Use of the public water system is intended and has been proffered by the applicant. (Proffered Condition 1)

Public Wastewater System:

There is an existing twelve (12) inch wastewater trunk line that terminates adjacent to the northeast side of Warbro Road at the Clover Hill industrial Park. An off-site extension of approximately 1,900 feet will be required to serve this site. Use of the public wastewater system has been proffered by the applicant. (Proffered Condition 1)

ENVIRONMENTAL

Drainage and Erosion:

The property sheet flows to the south then onto the adjacent property. The drainage then enters tributaries of Nuttree Creek which ultimately drains into Swift Creek. There are no known on- or off-site drainage and erosion problems and none anticipated after development. Due to the location and no apparent natural water courses, there is a high probability that off site easements will be required for drainage. In addition, the property is wooded and, as such, should not be timbered without first obtaining a land disturbance permit from the Department of Environmental Engineering and the appropriate devices installed (Proffered Condition 2). This will ensure adequate erosion control measures are in place prior to any land disturbance.

PUBLIC FACILITIES

Fire Service:

Swift Creek Fire Station, Company Number 16 currently provides fire protection and emergency medical service. This request will have a minimal impact Fire and EMS.

Transportation:

The property (13.2 acres) is currently zoned Agricultural (A), and the applicant is requesting rezoning to Light Industrial (I-2) with a Conditional Use to permit some commercial uses. Based on light industrial trip rates, development of the property could generate 740 average daily trips.

Vehicles generated by this development will be initially distributed along Genito Road, which had a 2004 traffic count of 13,412 vehicles per day. The capacity of the four-lane section of Genito Road between Hull Street Road (Route 360) and Warbro Road is acceptable (Level of Service A) for the volume of traffic it currently carries. No public road improvements in this part of the county are currently included in the Six-Year Improvement Plan.

The Thoroughfare Plan identifies Genito Road as a major arterial with a recommended right of way width of ninety (90) feet. The applicant has proffered to dedicate forty-five (45) feet of right of way measured from the centerline of Genito Road for the entire property frontage in accordance with that Plan. (Proffered Condition 4)

Development must adhere to the Development Standards Manual in the Zoning Ordinance, relative to access and internal circulation (Division 1). Access to major arterials, such as Genito Road, should be controlled. The applicant has proffered that direct vehicular access from the property to Genito Road will be limited to two (2) entrances/exits (Proffered Condition 3). One (1) of these accesses (the “Main Access”) will generally be located towards the western property line, and align with an existing crossover on Genito Road that serves South Ridge Drive. The other access will be located approximately midway between the South Ridge Drive intersection and the Shiloh Church Road intersection. This access will be limited to right-turns-in and right-turns-out only. The applicant has proffered that an access easement will be recorded across the property to provide shared use of the Main Access with the adjacent property to the west. (Proffered Condition 3)

The traffic impact of this development must be addressed. The applicant has proffered the customary improvements, right turn lanes at each access, along Genito Road (Proffered Condition 5). A right turn lane will be provided with any development that includes an access to Genito Road. The developer will need to acquire “off-site” right-of-way to construct the right turn lane along Genito Road for the Main Access. According to Proffered Condition 5, if the developer needs off-site right-of-way and is unable to acquire it, the developer may request the county to acquire the right-of-way as a public road improvement. All costs associated with the acquisition will be borne by the developer. If the county chooses not to assist with the right-of-way acquisition, the developer will not be obligated to acquire the off-site right-of-way, and will only be obligated to construct road improvements within available right-of-way. (Proffered Condition 5)

At time of site plan review, specific recommendations will be provided regarding access and internal circulation.

LAND USE

Comprehensive Plan:

The Powhite Route 288 Development Area Plan suggests the request property is appropriate for light industrial use. The request property is along the northern boundary of this light industrial area, therefore consideration should be given to appropriate transition between these uses and the single family residential use to the north.

Area Development Trends:

Properties to the north are zoned General Commercial (C-5) and Residential (R-7) and are occupied by single family residential use within South Ridge Subdivision, commercial use or are vacant. Properties to the east are zoned Agricultural (A) and are vacant. Properties to the south and west are characterized by agricultural, industrial and commercial zoning and have been developed for industrial and commercial uses or remain vacant. While the Plan suggests the area is appropriate for light industrial uses, with the exception of the County’s Warbro Athletic Complex, the area is generally characterized by moderate and heavy

industrial and commercial land uses. However, recent zonings in the area have attempted to steer future land uses to more light to moderate industrial uses, as is evidenced by areas developing around the intersections of Route 288 and Warbro Road with Hull Street Road. It is anticipated that light industrial uses will continue in this area as recommended by the Plan.

Use Limitations:

This request for rezoning to Light Industrial (I-1) includes a request for a Conditional Use to permit commercial uses and outside storage. Outside storage is not permitted by-right in a Light Industrial (I-1) District, but would be permitted if this request is approved provided outside storage is not located within 300 feet of Genito Road and such areas are screened as provided for in Proffered Condition 10. Proffered Condition 10 limits permitted commercial uses to those uses generally associated with construction such as contractors' and cabinet makers' offices, repair service and construction supply sales. In addition, Proffered Condition 10 prohibits certain light industrial uses.

Site Design:

The request property lies within an Emerging Growth District Area. The Zoning Ordinance specifically addresses access, landscaping, setbacks, parking, signs, buffers, utilities and screening. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. Development of the request property will be subject to these Ordinance standards, except as provided herein relative to building size, architectural treatment, landscaping, lighting, signage and screening. (Proffered Conditions 7, 8, 9, 10, 11 and 13)

Notification of Adjacent Property Owners

Proffered Condition 12 provides for notification of adjacent property owners when any site plans are submitted to the County for review.

CONCLUSIONS

The request complies with the Powhite Route 288 Development Area Plan which suggests the request property is appropriate for light industrial uses. Existing development standards and proffered conditions further ensure land use compatibility with existing and anticipated area development.

Given the foregoing, approval of this request is recommended.



06SN0299

Rez: A TO I-1 w/C.U.

REFERENCE PROFFERED

CONDITION 3

